

REMARKS

This paper is filed in response to the Office Action mailed 7th February 2005. Claims 1- 18 were pending in the application. Claims 1, 9, 16 to 18 have been amended and claims 19 to 22 have been added. Therefore, claims 1 to 22 are now pending in the application and are submitted for reconsideration.

Amendments to the Disclosure:

The description has been amended to correspond to the amendments submitted to the claims as will be discussed below, with reference to the third robot arm construction portion. Additionally amendment has been made to paragraph [0007] to more accurately reflect the scope of the disclosed invention as claimed. No new matter has been added by these amendments.

Rejection of Claims 1-9, 14 to 18:

Claims 1 to 9, 14, 15 and 18 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,386,141 issued to Forsen.

Claims 16 and 17 were rejected under 35 U.S.C. § 103(a) as being obvious in view of U.S. Patent No. 6,386,141 issued to Forsen.

In response to these rejections, claims 1 and 18 have been amended to clearly specify that the second point of application of the first actuator is below the first point of application.

According to the original wording of claim 1, the first actuator has a first point of application on the first robot arm construction portion and has a second point of application located below the first generally horizontal axis. In this sense, Applicant had considered the disclosure of Forsen to show a device in which the second point of application was located substantially level with the first generally horizontal axis. The Examiner has however taken the position that the second point of application of Forsen is located at a lower level than the first horizontal axis and that this may also be construed as "located below".

By specifically including the requirement that the second point of application of the first actuator is below the first point of application, Applicant contends that the claim now explicitly describes the sort of "push-up" actuator according to the disclosure of the present invention. In this respect it is to be noted that the operation of the first actuator on the first robot arm construction portion of the instant invention is quite distinct from the arrangement of Forsen, which operates in a pull-up configuration. As a consequence of the Forsen

arrangement, the support means 2 must be cantilevered outwards by a considerable distance. Furthermore, outward movement of the first robot arm construction portion is limited by both the support 2 and the initial length of the first actuator. From Figure 2 of the present application it can be observed that Applicant's robot arm is not constrained by such brackets or supports since the actuators are arranged to push the robot arm construction away from the fencing.

Applicants submit that the present amendment does not raise further issues since it is merely a clarification of the original claim and since no other configuration had been put forward. Furthermore, it is noted that the wording of claim 9 is specifically intended to refer to a detail of this configuration whereby "the first point of application on the first robot arm construction portion faces the third robot arm construction portion" i.e. the point of attachment is on the inner side of the first robot arm construction portion contrary to the arrangement of Forsen.

In order to further characterize this important difference with respect to the arrangement of Forsen, claims 21 and 22 have been added to specify the manner in which the first and second actuators cross over one another. This configuration cannot occur in the device of Forsen. It is believed that the arrangement whereby the actuators cross one another according to the present invention adds to the control and stability of this configuration.

Applicants thus respectfully submit that nothing in the art of record teaches or suggests the present invention.

Claims 2 to 17 depend from claim 1 and are thus patentable on that basis.

In addition, claim 3 requires the second point of application of the first actuator to be located on the fencing. According to Forsen, this point of application is located on a bracket projecting from an upper side of the parlor. Applicant is of the opinion that this bracket cannot be considered as the fencing as it performs no such role in the parlor construction.

Furthermore, claim 5 requires that the second point of application of the second actuator on the fencing be at a place located a second distance below the first generally horizontal axis. This requirement is not met by Forsen as it can be seen that the connection 19 in Fig 3 is above (or at best level with) the axis 7.

As mentioned above, claim 9 requires the point of application on the first robot arm construction portion to face inwards. This is not the case in Forsen where the point of application is apparently located on a side face but the force is applied outwardly. These further features are neither disclosed nor suggested by the prior art of record.

In view of the above, Applicants respectfully request withdrawal of the rejections and allowance of claims 1 to 18.

Objections to Claims 1, 16 and 17

Claims 1, 16 and 17 were objected to on the basis of certain informalities. In order to overcome these objections, the robot arm has been referred to as the third robot arm construction portion. This wording has been adopted throughout the description and claims. In view of the above, Applicants respectfully request withdrawal of these objections.

New Claims:

Claims 19 and 20 have been added in order to more fully claim the subject matter of Applicants' invention. Support for the new claims can be found in the original specification as filed e.g. in the final sentence of paragraph [0022] and in the figures.

As mentioned above, new claims 21 and 22 have been added to further characterize the manner in which the position of the points of application of the actuators causes them to cross one another.

None of the art of record teaches or suggests the combination of features recited in the new claims. In particular, since they are dependent upon claims 1 and 18 respectively.

In view of the above, Applicants respectfully request entry and allowance of claims 19 to 22 by the Examiner.

Any extension of time that may be deemed necessary to further the prosecution of this application is hereby requested. The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 08-3038, referencing the docket number shown above.

The Examiner is respectfully requested to contact the undersigned by telephone at the number given below in order to resolve any questions.

Respectfully submitted,



David P. Owen

Reg. No. 43,344

Date: 6 May 2005

Customer No. 32,894

Howrey Simon Arnold & White
2941 Fairview Park Drive, Suite 200
Falls Church, VA 22042
Fax: 202 383-7195

Tel: 9-011-31-20-5924422